

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

MARLON CRUZ-FLORES,

Defendant.

CRIM. NO. JKB-17-0589

* * * * *

MEMORANDUM AND ORDER

Pending before the Court is Marlon Cruz-Flores's Motion to Appoint Counsel. (ECF No. 486.) For the reasons set forth below, the Motion will be denied without prejudice.

There is no right to appointed counsel in post-conviction proceedings. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987) ("The right to appointed counsel extends to the first appeal of right, and no further."). However, the Court has discretion to appoint counsel. *See, e.g., United States v. Wylie*, Crim. No. KDB-18-0054, 2021 WL 5406880, at *1 (W.D.N.C. Nov. 18, 2021) ("There is no general constitutional right to appointed counsel in post-conviction proceedings [but the] Court has discretion to appoint counsel in proceedings under 18 U.S.C. § 3582(c) if the interests of justice so require."). In the instant case, Defendant has not demonstrated that the interests of justice warrant the appointment of counsel. He explains that he seeks the appointment of counsel to determine if [he] ha[s] any possibility for relief," but does not provide any information showing that his particular circumstances merit the appointment of counsel.

Accordingly, it is ORDERED that Defendant's Motion to Appoint Counsel (ECF No. 486) is DENIED WITHOUT PREJUDICE.

Dated this 19 day of February, 2025.

FOR THE COURT:

A handwritten signature in blue ink, appearing to read "James K. Bredar", is written over a horizontal line.

James K. Bredar
United States District Judge